IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

-

WRIT PETITION NO : 23304 of 2004

Between:

C.Prameelamma, w/o Veera Sekhara Reddy,
Akkampalli Village, Anantapur Mandal, Anantapur District.

..... PETITIONER

AND

1 The Joint Collector, Anantapur, Anantapur District.
2 The Revenue Divisional Officer, Anantapur, Anantapur District.
3 The Mandal Revenue Officer, Anantapur, Anantapur District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of certiorari call for the records relating to order made in D.Dis.No.D1/CS/1198/2004 dated 24-11-2004 passed by the 2nd respondent and quash the same as illegal, arbitrary, and in violation of principles of natural justice and consequently direct the respondents to release the stocks as usual to the petitioner in pursuance of the authorisation bearing No.271/2004 dated 5-3-2004 issued by the 2nd respondent to run the F.P.Shop at Akkampalli Village, Anantapur Mandal and District.

Counsel for the Petitioner:MR.GANDURI NAGESWARA RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following

ORDER:

The authorization of the petitioner was cancelled by the 2nd respondent through proceedings, dated 24.11.2004, on the ground that the petitioner is not running a Fair Price Shop, and that in her place another person is running it. The same is challenged in this writ petition on several grounds.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

Against an order of cancellation of dealership, an appeal is provided for under Clause 20 of the A.P.State Public Distribution System Control Order, 2001. The petitioner has not availed such remedy. This Court is not inclined to entertain a writ petition against an order of cancellation, when the petitioner is provided with an effective alternative remedy.

Hence, the writ petition is disposed of, leaving it open to the petitioner to avail the remedy of appeal. It is further directed that if the appeal is presented within two weeks from today, the respondents shall not appoint any dealer on permanent basis for the Fair Price Shop in question. There shall be no order as to costs.

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15.12.2004

Note: issue c.c. in two days.

(B/o)

Jsu

To

1 The Joint Collector, Anantapur, Anantapur District.
2 The Revenue Divisional Officer, Anantapur, Anantapur

District.
3 The Mandal Revenue Officer, Anantapur, Anantapur District.

4 Two CCs to the Government Pleader for Civil Supplies,

High Court Buildings, Hyderabad (OUT).

5 Two CD copies.